

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SHAUNIECE LEE,

Plaintiff,

v.

RENT RECOVERY SOLUTIONS, LLC

Defendants

Civil Action No: 4:22-CV-1157-P

AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

TO THE HONORABLE UNITED STATES DISTRICT COURT JUDGE:

NOW COMES, Plaintiff SHAUNIECE LEE (“Plaintiff”), by and through his attorneys, JAFFER & ASSOCIATES, PLLC, and brings this *Amended Complaint* against RENT RECOVERY SOLUTIONS, LLC. (“Defendant”) and respectfully sets forth, complains, and alleges, upon information and belief, the following.

PRELIMINARY STATEMENT

1. This is an action for actual and statutory damages, costs, and attorney’s fees pursuant to 15 U.S.C. §1692 et seq. the Fair Debt Collection Practices Act (“FDCPA”).

JURISDICTION AND VENUE

2. Plaintiff brings this action under §1692 et seq. of Title 15 of the United States Code, commonly referred to as the Fair Debt Collections Practices Act ("FDCPA") for actual and statutory damages, costs, and reasonable attorney’s fees against Rent Recovery Solutions, LLC (“Defendant”).
3. This Court has jurisdiction over this action and all counts under 28 U.S.C §

1331, 1337, and 15 U.S.C. § 1692k

4. Venue in this District is proper under 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to this claim occurred here.
5. Venue is further proper in this District because Plaintiff reside in this district.

PARTIES AND SERVICE

6. Plaintiff is a natural person residing in Dallas County, Texas and is represented by the undersigned Counsel.
7. Plaintiff is allegedly obligated to pay a “Consumer Debt.”
8. Plaintiff is a “Consumer” meaning Plaintiff is a natural person who is allegedly obligated to pay any debt.
9. Plaintiff is also a “Consumer” meaning Plaintiff is an individual who seeks or acquires by purchase or lease, any goods or services.
10. The Consumer Debt is an alleged obligation of Plaintiff to pay any money arising out of a transaction in which the money, property, or services which are the subject of the transaction are primarily for personal, family, or household purposes.
11. Defendant is a debt collector as defined by 15 U.S.C. § 1692(a)(6) because Defendant has engaged in direct or indirect debt collection against Plaintiff.
12. Defendant can be served with process of this *Amended Petition* through its registered agent, Corporation Service Company, located at 211 E. 7th Street Suite 620, Austin, Texas, 78701.

FACTUAL ALLEGATIONS

13. Plaintiff re-alleges and incorporates by reference paragraphs in this

complaint as though fully set forth herein with the same force and effect as if the same were set forth at length herein. From approximately August 2019 through September 2021, Plaintiff resided at The Surround Apartments.

14. Notably, Plaintiff occurred no late fees from the time she moved in until June 2021.
15. Critically, The Surround Apartments erroneously added a “Miscellaneous Income” charge (“the Mistake”) to Plaintiff’s account in the amount of \$100.00. See **Exhibit A**.
16. The Mistake is not part of the contractual amounts legally owed each month by Plaintiff.
17. After the Mistake, and despite Plaintiff paying her obligation under the rental agreement, starting June 2021, and continuing through the end of the lease, Plaintiff sustained late charges ranging from \$97.00 to \$71.00
18. When Plaintiff became aware of the Mistake, she contacted the new owners of the apartment facility, whose agent told Plaintiff in an audio recording that the Mistake should not have occurred.
19. Because of the numerous late fees, Defendant reported a collection account with a balance of \$1,365.00—an amount that Plaintiff does not owe. See **Exhibit B**.

FIRST CAUSE OF ACTION
VIOLATIONS OF THE FAIR DEBT COLLECTIONS PRACTICES ACT
15 U.S.C. § 1692 *et seq.*

20. Plaintiff incorporates by reference all of the above paragraphs of this Amended Complaint as though fully stated herein with the same force and effect as if the same were set forth at length herein.
21. Defendant’s debt collection efforts against Plaintiff violated various provisions of

the Fair Debt Collection Practices Act (“FDCPA”), particularly Section § 1692e(2)(A).

This section states,

a. “A debt collector may not use any false, deceptive, or misleading representations or means in connection with the collection of a debt [including],

i. (2) The false representation of (:

1.(A) the character, amount, or legal status of any debt; or (B) any

a. services rendered or compensation which may be lawfully
received by any debt collector for the collection of a debt.

22. Furthermore, Defendant’s debt collection efforts violated § 1692e(8), which prohibits a debt collection from, “:Communicating or threatening to communicate to any person credit information which is known or which should be known to be false, including the failure to communicate that a disputed debt is disputed.” 15 U.S.C § 1692e(8).

23. For the aforementioned reasons, Defendant has violated the FDCPA.

24. For these reasons, Defendant is liable to Plaintiff for actual damages, statutory damages, costs, and reasonable attorney’s fees.

DEMAND FOR JURY TRIAL

25. Plaintiff requests a trial by jury on all issues and counts so triable, pursuant to Rule 38 of the Federal Rules of Civil Procedure.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, demands judgment from Defendant as follows:

1. Awarding Plaintiff statutory damages up to \$1,000 under the FDCPA;
2. Awarding Plaintiff costs of this action, including reasonable attorneys' fees and expenses as allowed under the FDCPA;
3. Awarding Plaintiff such other and further relief as this Court may deem just and proper.

DATED: December 2, 2023

Respectfully Submitted,

JAFFER & ASSOCIATES PLLC

/s/ Phillip Pool

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